



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Jeffrey Parsons
West Virginia Department of Environmental Protection
Division of Mining & Reclamation
601 57th Street SE
Charleston, WV 25304

APR 03 2013

Dear Mr. Parsons:

Pursuant to Section 402 of the Clean Water Act, 40 C.F.R. § 123.44, and the *Memorandum of Agreement Regarding the Administration and Enforcement of the National Pollutant Discharge Elimination System (NPDES) in West Virginia (1982)* (MOA), the U.S. Environmental Protection Agency (EPA) Region III received the draft permits referenced below. In accordance with the MOA, EPA has exercised its discretion and has elected not to review the following permits:

SMCRA No.	NPDES No.	Company - Facility	EPA Receipt Date
U500497, U500693, U500793	WV1013581	Eastern Associated Coal, LLC – Winifrede 12, 13A & 14 Mine - NPR-4-Major	March 4, 2013
U041900	WV1006631	Black Wolf Mining Company – Spice Creek Mine No. 1, Stockpile Area & Spice Creek Haulroad – NPR-4-Minor	March, 11 2013
027300005, O007682	WV0065536	Pine Ridge Coal Company, LLC – Robin Hood No. 8 Plant and Refuse Facility – NPR-4-Major	March 11, 2013
H04200, U050100	WV0056634	Black Wolf Mining Company – Ramada No. 2 Deep Mine – NPR-4-Minor	March 11, 2013
S503390	WV1010727	Coal-Mac, Inc. – Varney Surface Mine – NPR-3-Major	March 11, 2013
I074800	WV1007556	Marion Docks, Inc. – Bell Tipple – NPR-4-Minor	March 12, 2013
Q006181	WV1023624	Petersburg Blocks Inc – New Castle Mountain Quarry – NPD-1	March, 14 2013
S501693	WV1015478	Coal-Mac, Inc. – Coal Mac, Inc. – NPR-3-Major	March, 21 2013
Q502599	WV1015796	Jaunt Inc. – Chapmanville Quarry – NPR-4-Major	March, 21 2013
O200112, S201910, O200112	WV1025546	Marion Docks, Inc. – Lantz Farm Highwall Mine – NPM-1-Major	March 25, 2013
Q200495	WV1023683	Stanley Industries Inc – Shiloh Quarries Valley Furnace Permit – NPD-1	March 25, 2013
O201806	WV1023217	Consolidation Coal Company – Boggs Run Beltline – NPR-1-Minor	March 26, 2013
U200201	WV1018116	Wolf Run Mining Company – Imperial Mine – NPM-4-Minor	March 26, 2013



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EPA REGION III
MAR 26 2013
NPDES PERMITS BRANCH
(3WP41)

west virginia department of environmental protection

Division of Mining and Reclamation
601 57th Street, SE
Charleston, WV 25304

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.wvdep.org

March 22, 2013

Evelyn S. MacKnight, Chief
NPDES Permits Branch (3WP41)
Water Protection Division
U. S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

Re: **WVNPDES No. WV1023217 REISSUANCE**
CONSOLIDATION COAL COMPANY

Dear Ms. MacKnight:

Pursuant to Section 402 of the Clean Water Act, 40 CFR parts 123.74 and 123.75, *Memorandum of Agreement Regarding the Administration and Enforcement of the National Pollutant Discharge Elimination System in West Virginia* (1982) (MOA) and Clarification Letter dated July 23, 2009, we herewith submit copies of the public notice, permit application, any fact sheet and draft permit for the above referenced facility for your review. If within thirty (30) days after receipt of this submission, you fail to provide a general objection or request a time extension, the West Virginia Department of Environmental Protection shall deem the application complete with respect to EPA review and take action on it.

Please be advised the West Virginia Department of Environmental Protection has an internal review process that takes place before a decision is made on permit approval. As part of this process the applications and Draft permits are reviewed and any public comments received during the public notice comment period are taken into account before the final decision is made. These Draft permits have not undergone the internal review process.

If you have any questions, please contact Jeff Parsons by telephone at (304) 926-0499 Extension 1564 or by mail at 601 57th Street SE, Charleston, WV 25304.

Sincerely,

Thomas L. Clarke, Director

Promoting a healthy environment.

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MAR 26 2013

NPDES PERMITS BRANCH
(3WP41)



DRAFT

west virginia department of environmental protection

Division of Mining and Reclamation
601 57th Street, SE
Charleston, WV 25304-2345
Phone: 304-926-0490
Fax: 304-926-0496

Earl Ray Tomblin, Governor
Randy C. Huffman, Cabinet Secretary
www.dep.wv.gov

**WEST VIRGINIA
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
WATER POLLUTION CONTROL PERMIT**

NPDES PERMIT NO.: WV1023217

ISSUE DATE: _____

ASSOCIATED PERMITS: O201806

EXPIRE DATE: _____ March

SUBJECT: Bath House/Sewage; Conveyor; Storm Water

SUPERSEDES/ WV1023217 / 7/30/2007
EFFECTIVE DATE:

HEALTH CERTIFICATE: 18183\ N/A

LOCATION:	Benwood	Marshall	Group E	Upper Ohio R
	(City)	(County)	(Hydrologic)	(Drainage Basin)

TO WHOM IT MAY CONCERN:

This is to certify that: CONSOLIDATION COAL COMPANY
1000 CONSOL ENERGY DR
CANONSBURG, PA 15317

is hereby granted a West Virginia NPDES Water Pollution Control Permit to:

operate and maintain the Boggs Run Beltline which conveys coal from the Boggs Run Deep Mine in the Pittsburgh seam of coal, to the Consolidated Coal Company's loadout facility located near Benwood, West Virginia in Marshall County, and to discharge storm water runoff into unnamed tributaries of/and Boggs Run of the Ohio River. Additionally the permit includes provisions for operation and maintenance of a sewage treatment plant.

This permit is subject to the following terms and conditions:

--The effluent limitations, monitoring requirements and other conditions set forth in Section A, B, C and D.

By : _____
Thomas L. Clarke
Director

DRAFT

1. The permittee is authorized to discharge from Outlet Number(s) listed below:
2. **EFFLUENT LIMITATIONS AND MONITORING FREQUENCY:** Outlets should

[illegible]

A. DISCHARGE LIMITATIONS AND MONITORING REQUIREMENTS

3. COMPLIANCE POINT: Samples taken for compliance with the above monitoring requirements shall be taken at the following locations: Outlet sites
4. ALTERNATE EFFLUENT LIMITATIONS: If alternate effluent limits are chosen, the following monitoring scheme applies:
 - (a) Table I Alternate Storm Limitations applies to any discharge or increase in the volume of a discharge caused by precipitation within any 24-hour period.
 - (b) Analyze the required parameters, which are determined by effluent type (listed in A.1.) and rainfall event, listed in Table I Alternate Storm Limitations.
 - (c) The permittee shall have the burden of proof that the discharge or increase in discharge was caused by the applicable rainfall event. This shall be verified by the use of a rainfall gauge located within three miles of the discharge point and last emptied no more than twenty-four hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured by the gauge shall be reported on the Discharge Monitoring Report(DMR).
5. The rainfall gauge shall be located within three miles of the discharge point and last emptied not more than 24 hours prior to the time the sample was taken. Automated rain gauges may also be utilized. The sampling date and amount of rainfall measured for the 24-hour period of the sample being collected shall be reported on the Discharge Monitoring Report(DMR) for each DMR reported.
6. SUBMISSION OF DISCHARGE MONITORING REPORTS (DMRs):
 - (a) Permittee shall submit each quarter, according to the enclosed format, a Discharge Monitoring Report (DMR) indicating the values of the constituents listed in Part A, to be in the discharge measured at the specific compliance points. All analyses must be determined by methods required in 40 CFR Part 136.
 - (b) The required quarterly reports shall be postmarked no later than twenty (20) days following the end of the reporting period and shall be sent to:

West Virginia Department of Environmental Protection
Division of Mining & Reclamation / HPU / NPDES Section
601 57th Street SE
Charleston, West Virginia 25304
 - (c) Enter reported average and maximum values under Quantity and Concentration in the units specified for each parameter, as appropriate.
 - (d) Specify the number of analyzed samples that exceed the allowable permit conditions in the columns labeled N.E. (i.e. number exceeding).
 - (e) Specify frequency of analysis of each parameter as number of analyses/specified period (e.g. 3/month is equivalent to 3 analyses performed every calendar month). If continuous enter Cont. The frequency listed on format is the minimum required. Notwithstanding the frequency of sampling/analyses, there must be at least 10 calendars days between two of the sampling/analyses.
 - (f) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic means unless otherwise specified in the permit. "No discharge" or "no flow" cannot count as a sample collected for calculating the arithmetic average when reporting the monthly average limit or averaging of measurement for reporting purposes.

7. Any "not detected (ND)" results by the permittee must be "ND" at the method detection limit (MDL) for the test method used for that parameter and must be reported as less than the MDL used. The permittee may not report the result as zero, "ND", or report the result as less than a minimum level (ML), reporting limit (RL), or practical quantitation limit (PQL).

When averaging values of analytical results for DMR reporting purposes for monthly averages, the permittee should use actual analytical results when these results are greater than or equal to the MDL and should use zero (0) when these results are less than the MDL. If all analytical results are non-detect at the MDL (<MDL), then the permittee should use the actual MDL in the calculation for averaging and report the results as less than the average calculation.

8. In incidences where a specific test method is not defined, the permittee shall utilize an EPA approved method with a method detection limit (MDL) sensitive enough to confirm compliance with the permit effluent limit for that parameter. If a MDL is not sensitive enough to confirm compliance, the most sensitive approved method must be used. If a more sensitive EPA approved method becomes available, that method shall be used. Should the current and/or new method not be sensitive enough to confirm compliance with the permitted effluent limit, analytical results reported as "not detected" at the MDL of the most sensitive method available will be deemed compliant for purposes of permit compliance. Results shall be reported on the Discharge Monitoring Reports as a numeric value less than the MDL.

TABLE 1
ALTERNATE STORM LIMITATIONS

EFFLUENT TYPES	DRY WEATHER	DCP*	1 YEAR - 24 HOUR	2 YEAR - 24 HOUR	10 YEAR - 24 HOUR
<u>ACID OR FERRUGINOUS CATEGORIES</u>					
a. Discharges from underground workings of underground mines not commingled	TSS pH Iron Flow Manganese WQBEL***	(NO ALTERNATE LIMITATIONS)			
b. Discharges from underground workings of underground mines commingled	TSS pH Iron Flow Manganese WQBEL***				Flow pH WQBEL***
c. Controlled surface mine drainage(except steep slope and mountaintop removal)	TSS pH Iron Flow Manganese WQBEL***				Flow pH WQBEL***
d. Non-controlled surface mine drainage(except steep slope and mountaintop removal)	TSS Iron Flow pH Manganese WQBEL***	SS** pH Iron Flow Manganese WQBEL***	SS** pH Flow WQBEL***		Flow pH WQBEL***
e. Discharges from coal refuse disposal areas	TSS pH Iron Flow Manganese WQBEL***		Flow SS** pH WQBEL***		Flow pH WQBEL***
f. Discharges from steep slope and mountaintop removal areas	TSS Iron Flow pH Manganese WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
g. Discharges from preparation plants and preparation plant associated areas (excluding coal refuse piles)	TSS Iron Flow pH Manganese WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
h. Discharges from reclamation areas		Flow SS** pH WQBEL***			Flow pH WQBEL***
<u>ALKALINE CATEGORY</u>					
i. Discharges from underground workings of underground mines not commingled	TSS pH Iron Flow WQBEL***	(NO ALTERNATE LIMITATIONS)			
j. Alkaline Mine Discharges	TSS Iron Flow pH WQBEL***	Flow SS** pH WQBEL***			Flow pH WQBEL***
k. Reclamation areas		Flow SS** pH WQBEL***			Flow pH WQBEL***
<u>WATER QUALITY BASED LIMITS</u>					
l. Water quality based effluent limits	TSS Flow pH WQBEL***	SS** pH Flow WQBEL***			
m. Bathhouse & Sewage	(NO ALTERNATE LIMITATIONS)				

DCP* -- Discharge or increase in the volume of a discharge caused by precipitation within any 24 hour period

SS** -- Settleable Solids

WQBEL*** -- All Parameters with calculated Water Quality Based Effluent Limits

County: Marshall

1-Year 02.30

2-Year 02.65

10-Year 03.99

B. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the following interim requirements with the discharge limitations specified in this permit in accordance with the following schedule:

Interim RequirementCompletion Date

Effective date of this permit

2. Reports of compliance or non-compliance with, and progress reports on the interim and final requirements contained in the above compliance schedule shall be submitted no later than fourteen (14) days following each schedule date.

N/A

C. TERMS AND CONDITIONS INCORPORATED BY REFERENCE TO THE WV NPDES REGULATIONS FOR COAL MINING AND FACILITIES, TITLE 47, SERIES 30.

- 5.1 Duty to Comply, Penalties
- 5.2 Duty to Reapply
- 5.3 Duty to Halt or Reduce Activity
- 5.4 Duty to Mitigate
- 5.5 Proper Operation and Maintenance
- 5.6 Permit Actions
- 5.7 Transfer
- 5.8 Property Rights
- 5.9 Duty to Provide Information
- 5.10 Inspection and Entry
- 5.11 Monitoring and Records
- 5.12 Signatory Requirements
- 5.13 Reporting Requirements
- 5.14 Bypass
- 5.15 Upset
- 5.16 Reopener Clause
- 5.17 Removed Substances
- 5.18 New Sources (if applicable)
- 5.19 Definitions

D. OTHER REQUIREMENTS**1. REPORTING SPILLS AND ACCIDENTAL DISCHARGES**

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities or penalties established pursuant to Series 3, Section 1 of the Environmental Quality Boards regulations.

Attached is a copy of the West Virginia Spill Alert System for use in complying with Series 3, Section 1 of the regulations as they pertain to the reporting of spills and accidental discharges.

2. HAULAGEWAYS AND ACCESS ROADS

Haulageways and access roads shall be constructed and maintained in accordance with best management practices including, but not limited to, the performance standards contained in Title 38, Series 2, Section 4 of the West Virginia Surface Mining Reclamation Regulations.

3. RECEIVING STREAMS

The receiving streams shall be monitored by grab samples as required at the stream sampling points listed below, and the samples shall be analyzed for the parameters listed below. The flow of the stream shall also be estimated at the time of monitoring. Monitoring shall be done approximately at the same time as the discharge points are monitored as required under Section A of this permit. A quarterly report of the stream monitoring and flow shall be sent to the NPDES section in Charleston, on the enclosed forms along with the reports required under Section A. Based upon the stream monitoring flow data, water quality standards or other information, the Department may at any time modify the effluent limits in Section A of this permit for any of the discharge points if necessary, to insure compliance with water quality standards.

STREAM STATION

LATITUDE

LONGITUDE

ELEV.

4. SURFACE MINES

If the coal mining operation has been granted Phase II revegetation release and all discharge points have been eliminated during the period this permit is in effect, the discharge limitations and monitoring requirements in Section A and Section D.3 stream monitoring shall not apply. The coal mining operation shall be maintained in accordance with best management practices including, but not limited to the applicable performance standards contained in Title 38, Series 2, West Virginia Mining Reclamation Regulation until the associated performance bond has been final released.

5. STORM WATER DISCHARGES

Such discharges shall comply with the applicable Water Quality Standards in 47 CSR 2. Activities consisting of discharges of storm water runoff or snow melt composed entirely of flows which are from conveyances used for collecting and conveying precipitation runoff, in accordance with 47 CSR 30, Section 3.1.a.6 and are authorized under Chapter 22, Article 3, are authorized by this permit. Such storm water discharges shall not involve any mineral removal, pumping of storm water, or storm water runoff commingled with mine drainage, refuse drainage, coal stockpile areas, preparation plant areas, loading areas or unloading areas. The activities shall be constructed and maintained in accordance with the issued Article 3 Permit Revision including incidental boundary revisions and with the best management practices and performance standards contained in 38 CSR 2 and Chapter 22, Article 3. These storm water discharges are authorized under this Condition upon issuance of the associated Article 3 application for the life of this permit. Updated NPDES permit application information will be submitted in the next reissuance application for activities covered under this Condition. The Director reserves the right to require any permittee to submit a NPDES modification when the Director determines that such receiving stream will be better protected by an individual NPDES modification.

The herein-described activity is to be extended, modified, added to, made, enlarged, acquired, constructed or installed, and operated, used and maintained strictly in accordance with the terms and conditions of this permit; the plans and specifications submitted with Permit Application No. N/A, completed the N/A day of N/A N/A; the information submitted with the application for Reissuance No. WV1023217 completed the /NPR_final_action_date_day/ day of /NPR_final_action_date_month/ /NPR_final_action_date_year/, with the plan of maintenance and method of operation thereof submitted with such application(s) with the WVNPDES Regulations, Series 30 and with any applicable rules and regulations promulgated by the State Environmental Quality Board.

Failure to comply with the terms and conditions of this permit, with the plans and specifications submitted with Permit Application No. N/A, completed the N/A day of N/A, N/A, with the information submitted with Application No. for Reissuance No. WV1023217 completed the /NPR_final_action_date_day/ day of /NPR_final_action_date_month/, /NPR_final_action_date_year/ and with the plan of maintenance and method of operation thereof submitted with such application(s) shall constitute grounds for the revocation or suspension of this permit and for the invocation of all the enforcement procedures set forth in Article 11, Chapter 22 of the code of West Virginia.

This permit is issued in accordance with the provisions of Article 11, Chapter 22 of the Code of West Virginia and is transferable under the terms of WVNPDES Regulations, Series 30, Subsection 3.5.c.

EMERGENCY RESPONSE SPILL ALERT SYSTEM
WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION

REQUIREMENTS:

West Virginia Legislative Rules Title 47, Series 11, Section 2 effective July 1, 1987.

RESPONSIBILITY FOR REPORTING:

Each and every person who may cause or be responsible for any spill or accidental discharge of pollutants into the waters of the State shall give immediate notification to the Emergency Notification Number 1-800-642-3074. Such notification shall set forth insofar as possible and as soon thereafter as practical the time and place of such spill or discharge, type or types and quantity or quantities of the material or materials therein, action or actions taken to stop such spill or discharge and to minimize the polluting effect thereof, the measure or measures taken or to be taken in order to prevent a recurrence of any such spill or discharge and such additional information as may be requested by the Department of Environmental Protection. A written verification of such notification shall be submitted upon request of the Department of Environmental Protection.

It shall be the responsibility of each industrial establishment or other entity discharging directly into a stream to have available the following information pertaining to those substances that are employed or handled in its operation in sufficiently large amount as to constitute a hazard in case of an accidental spill or discharge into a public stream:

1. Potential toxicity in water to man, animals and aquatic life;
2. Details on analytical procedures for the quantitative estimation of such substances in water; and
3. Suggestions on safeguards or other precautionary measures to nullify the toxic effects of a substance once it has gotten into a stream.

Failure to furnish such information as required by Section 14, Article 11, Chapter 22, Code of West Virginia shall be punishable under Section 24, Article 11, Chapter 22, Code of West Virginia.

It shall be the responsibility of any person who causes or contributes in any way to the spill or accidental discharge of any pollutant or pollutants into State waters to immediately take any and all measures necessary to contain such spill or discharge. It shall further be the responsibility of such person to take any and all measures necessary to clean up, remove and otherwise render such spill or discharge harmless to the water of the State.

When the Director, Division of Water and Waste Management determines it necessary for the effective containment and abatement of spills and accidental discharges, the Director of Water and Waste Management may require the person or persons responsible for such spill or discharge to monitor affected waters on a manner prescribed by the Director of Water and Waste Management until the possibility of any adverse effect on the waters of the State no longer exists.

VOLUNTARY REPORTING BY LAW OFFICERS, U.S. COAST GUARD, LOCK MASTERS AND OTHERS:

In cases involving river and highway accidents where the responsible party may or may not be available to report the incident, law officers, U.S. Coast Guards, Lock Masters and other interested persons should make the report.

WHO TO CONTACT:

Notify Department Headquarters in Charleston, West Virginia at the following number: 1-800-642-3074. (This is a toll-free, 24-hour emergency response number.)

INFORMATION NEEDED:

- | | |
|---|--|
| • Source of spill or discharge | • Personnel at the scene |
| • Location of incident | • Actions initiated |
| • Time of incident | • Shipper/Manufacturer identification |
| • Name of material spilled/discharged | • Railcar/Truck identification numbers |
| • Amount of material spilled/discharged | • Container type |
| • Spilled/discharged materials toxicity | |

GPP TRACKING FORM

PERMITTEE NAME: CONSOLIDATION COAL COMPANY

WVNPDES PERMIT NO.: WV1023217

SMCRA PERMIT NOS.: O201806

GPP DATE: 03/20/2013 Approved

REGION: Philippi

INSPECTOR: Andrew M. Coleman

NPDES PERMIT WRITER: William J. Cavender

RIGHT TO APPEAL

Notice is hereby given of your right to appeal the terms and conditions of this agency action as provided under West Virginia Code § 22-11-21. Pursuant to the provisions of § 22B-1-7(c), a person subject to this action (permittee) may file an appeal to the Environmental Quality Board (EQB) within 30 days of being served notice of such agency action.

For other parties (citizens) adversely affected or aggrieved by this action, an appeal may be filed to the EQB within 30 days after the date upon which service was complete to the subject person "(permittee)". Such Notice of Appeal shall be sent to the EQB on the form prescribed by the Board.

West Virginia Environmental Quality Board
601 57th Street, SE
Charleston, West Virginia 25304

RATIONALE PAGE

NPDES Number: WV1023217 (NPR-1-Minor)

County: Marshall

Company Name: CONSOLIDATION COAL COMPANY

Facility Name: Boggs Run Beltline

SMA/Permit No.: 0201806

Other Apps:

Date of Draft: 03/21/2013

Permit Writer: William J. Cavender

Region: Philippi

1. New or expanded discharge? NO
2. Facility eligible for General Permit? NO
3. Basis for effluent limitation:

A. Determine uses of each receiving stream.
Stream Uses Stream Name

1 BOGGS RN

B. Parameters of concern:

<u>NO</u>	pH	<u>NO</u>	Fe	<u>NO</u>	Mn
<u>NO</u>	Al (D)	<u>NO</u>	Al (T)	<u>NO</u>	Others

Specify Others:

C. Justification Review: Introduction:

This application is for the reissuance of the Boggs Run Beltline to operate and maintain a beltline system to convey coal from the Boggs Run Deep Mine in the Pittsburgh seam of coal, to the Consolidated Coal Company's loadout facility located near Benwood, West Virginia in Marshall County. The facility will discharge storm water runoff into unnamed tributaries of/and Boggs Run of the Ohio River. Additionally the permit includes provisions for operation and maintenance of a sewage treatment plant.

Permit History:

WV1023217 was issued on July 30, 2007 to provide coverage for storm water runoff of the beltline conveyer system at between the Boggs Run Deep Mine and the Consolidated Coal Company's loadout facility. On October 30, 2009, the permit was modified in order to construct and operate a sewage treatment plant and add Outlet 401 to the permit. This permit serves as the first reissuance of the permit.

303(d) and TMDL Review:

The 2010 303d List cites Boggs Run as impaired for Fecal Coliform and iron with a TMDL developed in 2009. The 2012 draft 303(d) List cites Boggs Run as impaired for CNA-Biological.

Permit Limits:

The original 2007 permit was permitted as a Stormwater Permit with no point source discharges or outlets. In 2009, a major modification added a bathhouse/sewage facility with Outlet 401. Outlet 401 was assigned limits for dissolved oxygen, BOD 5-day, ammonia nitrogen, total suspended solids, flow, total residual chlorine and fecal coliform from a wasteload allocation approved by the WVDEP Division of Water and Waste Management (DWWM) Office Water Resources (OWR) personnel.

This reissuance includes an updated wasteload allocation from DWWM for the sewage discharge at Outlet 401. The same parameters have been assigned with the updated limitations derived from the updated wasteload allocation.

4. Types of effluent limitations:

Technology Based Outlets (0):

Water Quality Based Outlets (0):

Best Professional Judgement Based Outlets (0):

Special Outlets (0):

Ammonia Outlets (0):

Sewage Outlets (1): 401

Additional Comments:

5. Special Conditions or other monitoring requirements:

Stream Monitoring:

Groundwater Monitoring:

6. Does the application contain:

Valley fills/refuse?

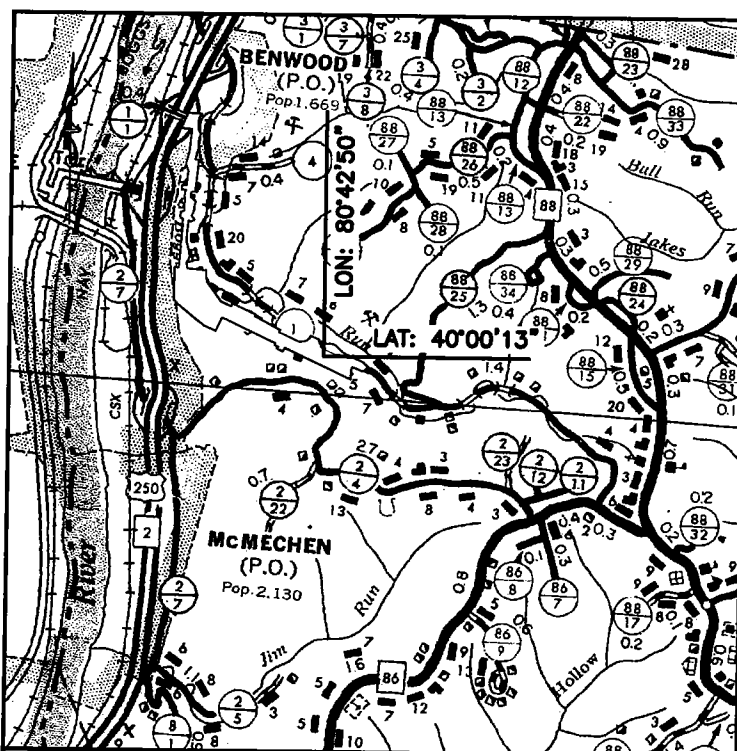
N/A

In Ephemeral Streams?

N/A

In Intermittent/Perennial Streams?

N/A



GENERAL LOCATION MAP

BOGGS RUN BELTLINE
 NPDES NO. WV1023217
 MOUNDSVILLE AND WHEELING 7.5' USGS QUADRANGLES
 NEAREST POST OFFICE: BENWOOD, WV
 TAKEN FROM WV DEPT OF HIGHWAYS MAP
 UNION DISTRICT OF MARSHALL COUNTY
 SCALE: 1" = 1 MILE

NPDES RE-ISSUANCE ADVERTISEMENT
(EACH BLANK MUST BE FILLED IN ACCORDANCE WITH THE MR-34-BR INSTRUCTIONS)
ADVERTISEMENT

Notice is hereby given that Consolidation Coal Company, 1000 Consol Energy Drive, Canonsburg, PA 15317 has submitted an application for the reissuance of Article 11 /WVNPDES Permit No. WV1023217 to the Department of Environmental Protection, 105 S. Railroad St, Philippi, WV 26416-1150 in order to construct a beltline in the Pittsburgh seam/mineral beds. The operation will discharge stormwater runoff into an unnamed tributary of/and Boggs Run of Upper Ohio River 2 and is located 2.0 (miles), southeast of Benwood, in Union District of Marshall County, Longitude 80° 42' 50.44" and Latitude 40° 00' 13.33" (Coordinates from USGS Topographic Map).

The Department of Environmental Protection is seeking information on private surface water intakes for human consumption located in the above listed receiving streams and located down stream of this operation. Please provide your name, phone number, mailing address, the name of the stream being with the intake, and the physical location of the intake. This information needs to be submitted to the address above.

An anti-degradation review has been conducted. Tier 1 protection is afforded because effluent limitations ensure compliance with water quality criteria for all designated uses.

Comments on the Article 11/WVNPDES application or requests for a public hearing regarding the Article 11/NPDES application shall be in writing and if a public hearing is requested shall state the nature of the issues proposed to be raised in the hearing. Such written comments or requests should be sent to the Department of Environmental Protection (DEP) at the address above, and must also reference the Article 11 /WVNPDES permit number shown above. Comments received by _____, or thirty (30) days from date of publication, will be considered. A copy of the Article 11/WVNPDES application, draft permit and fact sheet (if required) will be available for inspection and obtaining copies during normal business hours at the DEP Regional Office located at the address above.

DEP Telephone No. 304-457-3219 Article 11/NPDES Permit No. WV1023217 Reiss No. 1